



CITY OF REDMOND
Community Development Department

716 SW Evergreen Ave.
Redmond, OR 97756

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www.ci.redmond.or.us

URBAN AREA PLANNING COMMISSION
Public Hearing – Council Chambers
777 SW Deschutes Ave
Tuesday, April 19, 2011
7:00 PM

Agenda

UAPC Members	
Eric Porter, Chair	I. CALL TO ORDER
Will Van Vactor, Vice Chair	II. COUNCIL LIASON COMMENTS (if present)
Tory Allman	III. CITIZEN COMMENTS
Bob Bleile	IV. PUBLIC HEARINGS
Stan Clark	a. TA 11-01, (Exhibit 1) Automatic Extension of Land-Use Approvals
Katie McDonald	b. TA 11-03 (Exhibit 2) Insurance Provisions – Daily Display Signs
John Nastari	c. TA 11-04 (Exhibit 3) Redmond Historic Landmarks Commission
	V. WORK SHOPS (Presentations)
	a. Home Occupations – Definition of Retail
	b. Signage - Flags
	VI. APPROVAL OF MINUTES
	a. February 1, 2011 (Exhibit 4)
	b. February 15, 2011 (Exhibit 5)
	c. March 15, 2011 (Exhibit 6)
	VII. STAFF COMMENTS
	VIII. COMMISSIONER COMMENTS
	IX. ADJOURN

*Please note that these documents are also available on the City's website www.ci.redmond.or.us; click on City Government, hover on Commissions and Committees, click on Urban Area Planning Commission. You may also request a copy from City Records Office 923-7751 or email KellyM@ci.redmond.or.us

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Exhibit 1

DATE: April 19, 2011
TO: Redmond Urban Area Planning Commission Members
FROM: Heather Richards, Community Development Director
SUBJECT: Public Hearing, TA 11-01: Development Code Amendments, 8.1620,
Land Use Approval Time Extension

Report in Brief:

This is a public hearing to consider amendments to the Redmond Development Code, Article II – Land Use Procedures, that would automatically extend approved land use permits from July 1, 2011, to July 1, 2013, without requiring an application from the developer or owner. The time extension would not apply to land use permits which are regulated by a specific condition of approval that sets time frames different from the Code.

Background:

On August 9, 2009, the Redmond City Council amended the Redmond Development Code to allow an automatic land use approval extension to July 1, 2011, for those land-use applications that were due to expire. This action was taken with the knowledge that Central Oregon was experiencing a significant economic downturn and development opportunities had essentially ground to a halt due to the lack of available financing and severe market depreciation. City staff has been asked to consider a second automatic land use approval extension to expiring land use approvals to July 1, 2013, since the economic downturn has continued and has not shown any evidence of recovery in Central Oregon in the near-term.

Discussion

Typically, the City's land use approvals are valid for a period of two years from the date the approval is no longer appealable. Property owners may apply for time extensions for up to two additional years and such applications may be approved by the Community Development Director.

It is evident that the current recession has severely curtailed construction activity in Redmond and the entire Central Oregon region; however, there are several outstanding land use permits that were approved a couple of years ago when the economy was much better. An example of land use permits that could expire without this Code amendment would be the Planned Unit Development for Jim Neal on Badger Road.

One complicating factor which could affect a time extension is that some properties are in foreclosure and the City cannot determine whether the property owner/developer or the bank is in actual ownership of the property. In some cases, the ownership issue may be contested. Granting a legislative time extension for land use permits will give property owners, the banks developers and the City time to sort everything out. Generally, it appears that the long-range forecast is for the Redmond economy to turn around in late 2012 or 2013.

Attachments:

Exhibit A – Development Code Amendments
Exhibit B - Findings

An application for a time extension for an approved land use permit costs \$884.68. Forgoing the application costs will not mean a great difference in the Community Development Department's revenue picture over the next year; however, passing this Code amendment could create some good will for developers who are currently strapped for cash. Staff recommends that this amendment, or some modified version, be adopted by the City of Redmond.

Alternative Courses of Action:

1. Recommend approval of the proposed Amendments as proposed or as modified by the Planning Commission at the public hearing to the City Council;
2. Continue the hearing for more information, time to revise the proposed amendments based on the Commission's direction provided at this public hearing and/or to allow more public input; or
3. Recommend that the City Council not approve the Amendments.

Recommendation/Suggested Motion:

Staff recommends Option 1 or Option 2 depending on the Planning Commission's consideration of the amendments, public input, and/or comments provided by the City's legal counsel.

Heather Richards,
Community Development Director

Exhibit A: Article II, Land Use Procedures – Development Code Amendments

Development Code Amendments (new text is **red**; deleted text is ~~strikethrough~~, unless otherwise stated):

LIMITATIONS ON APPROVALS

- 8.1600 Limitations on Approvals.** The following limitations on approvals are applicable.
- 8.1605 Duration of Approval.** All land use approvals shall be valid for a period of two years, unless a longer duration is granted as part of the approval. The two year period shall run from the date a land use approval is no longer appealable.
- 8.1610 Approval Extension.** Extensions beyond two (2) years may be approved by the Community Development Director or designee, or Hearings Body for periods of one (1) year, up to an aggregate of two (2) additional years provided that; no code changes which may be contrary to the original decision have occurred relative to that proposal, and there has been no new development since the original approval on any adjacent property. Such extensions shall be administrative, in writing, and not subject to appeal. (3/99)
- 8.1620 Additional Approval Time Extension.** Notwithstanding sections 8.1605 and 8.1610, all City approved land use permits, including permits that have received an extension of time, that were due to expire on or after ~~July 1, 2010~~ **July 1, 2011**, are hereby extended to ~~July 1, 2014~~ **July 1, 2013**. Land use permits that are approved and take effect after ~~July 1, 2009~~ **July 1, 2010**, shall comply with section 8.1605 (i.e. a two year approval) unless the applicant applies for and receives an extension of time granted in accordance with section 8.1610. Permits which have been automatically extended by this regulation may apply for an additional extension of time in accordance with section 8.1610. Sign permits, building permits, temporary permits, Measure 37 permits, Measure 49 permits, a land use permit to which a specific condition of approval that regulates the duration and terms of approval has been attached, or any other City issued permit that is not a land use permit are hereby excluded from this automatic extension of time.

**Exhibit B
(Ordinance No. 2011-XX)**

City of Redmond

Findings for a Development Code Amendment to amend Chapter 8, Article II – Land Use Procedures, to allow an extension of time for approved land use development permits. This amendment would automatically extend the expiration date for land use permits that were effective on July 1, 2011 to July 1, 2013. This does not affect building permits, Measure 37 permits, Measure 49 permits, sign permits, land use permits to which a specific condition of approval that regulates the duration and terms of approval has been attached or other permits issued by the City that are not land use permits.

The Redmond Planning Commission voted ___ on April 19, 2011, to recommend that the City Council adopt the Time Extension regulations.

Prepared by:

Heather Richards, Community Development Director
Community Development Department

April 19, 2011

File No: TA 11-01: Development Code Text Amendment

Applicant: City of Redmond Community Development Department
716 SW Evergreen Avenue
P O Box 726
Redmond, OR 97756
Phone: (541) 923-7710
Fax: (541) 548-0706

Request: Adopt findings in support of the Development Code to amend Chapter 8, Article II – Land Use Procedures, to extend the expiration date for City approved land use permits that were effective on or approved after July 1, 2011.

Location: The amendments are not for a specific property in the City of Redmond. Rather, this would apply to land use permits that have been approved in accordance with the standards and criteria in the Redmond Development Code. Property owners would receive an automatic extension of time to July 1, 2013, if their permit would have expired on or after July 1, 2011.

The following narrative provides findings in support of the proposed amendments with respect to Redmond Development Code Section 8.0760 - Criteria for Amendments: “The applicant shall show the proposed change is:”

1. “In conformity with all applicable State statutes:”

ORS 197.610(1): “A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land Conservation and Development at least 45 days before the first evidentiary hearing on adoption . . .”

Finding:

The City provided notice to the Director of the Department of Land Conservation and Development on March 3, 2011, which is more than 45 days before the Planning Commission’s April 19, 2011 hearing regarding adoption of the proposed Ordinance.

Conclusion:

Based on the findings above, the proposed Code amendment conforms to the applicable State of Oregon statute.

2. “In conformity with the State-wide planning goals whenever they are determined to be applicable:”

Goal 1- Oregon’s Statewide Planning Goals: Citizen Involvement.

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City conducted public hearings before the Redmond Planning Commission on April 19, 2011, and the Redmond City Council on _____. In addition, the City provided public notices and agendas for the public hearings where the proposed amendment was discussed. All documents were available on the City’s website and copies were available for the public. Further, meeting notices were published in the local newspaper, the Redmond Spokesman. The City provided ample public review and involvement opportunities during the public hearings (both at the Planning Commission and City Council levels) for the proposed amendment. The Urban Area Planning Commission serves as the City’s citizen advisory committee and is made up of Redmond area residents.

Goal 2- Oregon's Statewide Planning Goals: Land Use Planning.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The Planning Commission and City Council received testimony from staff, property owners, and developers. Based on this input, and the Commission's own experience with the Development Code, the Commission and Council believes this change to Article II is necessary to help property owners and developers who have been affected by the downturn in the Central Oregon economy. The Commission and Council have determined that enough factual and policy basis exists to support the proposed Code amendment. The proposed amendment only affects the expiration date of land use permits which have been approved by the City and which might expire without an extension of time.

Goal 9- Oregon's Statewide Planning Goals: Economic Development.

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding:

The proposed zoning code amendment would allow land use permits to be automatically extended to July 1, 2013, without an application from a property owner or developer. This amendment may keep some land use permits from expiring and provide an opportunity for development under that permit. Some land use permits that have received an extension of time and are not eligible for further extensions of time would be extended to July 1, 2013.

Goal 10- Oregon's Statewide Planning Goals: Housing.

To provide for the housing needs of citizens of the state.

Finding:

The proposed amendment, if approved, would apply to residential developments that may expire under the timelines of the original approval. Approval of the proposed time extension code amendment would allow some residential developments to continue to be active without requiring any action from the property owner/developer.

Conclusion:

Based on the findings addressing the Code amendment criteria, the Urban Area Planning Commission, and City Council conclude that the proposed Code amendment conforms to applicable statewide planning goals and statutes.

3. “In conformity with the Redmond Comprehensive Plan, land use requirements and policies; and”

Chapter 1 – Redmond Comprehensive Plan: Citizen Involvement.

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City conducted public hearings on April 19, 2011, and _____, and the Planning Commission and City Council accepted testimony and evidence regarding this proposed action. In addition, the City provided public notices and agendas for the public hearings. All documents were available on the City’s website, and copies were available for the public. Further, meeting notices were published in the local newspaper, the Redmond Spokesman. The City provided ample public review and involvement opportunities during the public hearings (both at the Planning Commission and City Council levels) for the proposed amendment. The Urban Area Planning Commission serves as the City’s citizen advisory committee and is made up of Redmond area residents.

The proposed amendments serve the following policies of Chapter 1 of the Redmond Comprehensive Plan.

1. The City shall establish a citizen involvement program to provide for widespread citizen involvement.
2. The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process.
3. The City shall assign the Redmond Urban Area Planning Commission as its officially recognized committee for citizen involvement (CCI).
4. The City shall establish mechanisms to assure two-way communications between citizens and elected and appointed officials.
5. The City shall provide the opportunity for citizens to be involved in all phases of the planning process.
6. The City shall assure that technical information is available to citizens in an understandable form.
7. The City shall assure that recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers.

Chapter 2 – Redmond Comprehensive Plan: Land Use Planning.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The Planning Commission and City Council received testimony from staff, property owners and developers. Based on this input, and the Commission’s own experience with the Development Code, the Commission found that the amendment to the Code is necessary to implement the City’s Comprehensive Plan and Zone Code.

The proposed amendment serves the following policies of Chapter 2 of the Redmond Comprehensive Plan.

1. All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents.
2. The plan shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governments.
3. All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan.
4. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revisions of plans and implementing ordinances

Chapter 3 – Redmond Comprehensive Plan: Agricultural Land.

To preserve and maintain agricultural lands.

Finding:

Not applicable.

Chapter 4 – Redmond Comprehensive Plan: Forest Land.

Finding:

Not Applicable.

Chapter 5 – Redmond Comprehensive Plan: Open Spaces, Scenic and Historic Areas, and Natural Resources.

To preserve and retain historic structures, areas, sites and cultural resources throughout the city.

Finding:

Not Applicable.

Chapter 6 – Redmond Comprehensive Plan: Air, Water and Land Resource Quality.

To maintain and improve the quality of the air, water and land resources of the City.

Finding:

Not Applicable.

Chapter 7 – Redmond Comprehensive Plan: Natural Hazards.

To protect life and property from natural disasters and hazards.

Finding:

Not Applicable.

Chapter 8 – Redmond Comprehensive Plan: Recreational Needs.

Providing quality green spaces, natural areas, and recreation sites for passive and active recreation through public and private park land throughout the community.

Finding:

Not Applicable.

Chapter 9 – Redmond Comprehensive Plan: Economic Development.

Finding:

Not Applicable.

Chapter 10 – Redmond Comprehensive Plan: Housing.

Goal 6. Provide for higher densities in proximity to schools, services, parks, shopping, employment centers, and public transit.

Finding:

Not Applicable.

Chapter 11 – Redmond Comprehensive Plan: Public Facilities and Services.

Finding:

Not Applicable.

Chapter 12 – Redmond Comprehensive Plan: Transportation

Finding:

Not Applicable.

Chapter 13 – Redmond Comprehensive Plan: Energy.

Finding:

Not Applicable.

Chapter 14 – Redmond Comprehensive Plan: Urbanization Element.

Finding:

Not Applicable.

Conclusion:

Based on the findings above, the proposed amendments conform to the Redmond Comprehensive Plan where the Plan's policies and objectives are found to be applicable.

4. “That there is a change of circumstances or further studies justifying the amendment or mistake in the original zoning.”

Finding:

There has been a significant change of circumstances in the state and national economy that affects the way land is developed. The current national recession has limited the amount and availability of money that is available to develop property. The intent of the new zone code amendment is to grant an additional amount of time to enable developers to seek funding for their already approved residential, commercial and industrial land use projects. The goal is to extend all land use permits that were approved and in effect on June 30, 2011, to be extended to July 1, 2013. This is based on changing needs and demands of the Central Oregon economy which has adversely affected land use development in the City of Redmond.

Conclusion:

The above findings demonstrate that the proposed code amendment to extend the expiration date for City approved land use permits meets RDC section 8.0760 - Criteria for Amendments to the Development Code. Additionally, the proposed amendment is compliant with the applicable Statewide Planning Goals and state law. The time extension code amendment should be approved.



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EXHIBIT 2

DATE: April 19, 2011
TO: Redmond Urban Area Planning Commission Members
FROM: Heather Richards, Community Development Director
SUBJECT: Public Hearing, TA 11-03: Development Code Amendments, 8.4240,
Daily Display Signs Insurance Provisions

Report in Brief:

This is a public hearing to consider amendments to the Redmond Development Code, Section 8.4240, Article V – Signage Standards, that would remove the additional insured provisions required for Daily Display Signs.

Background:

Current City Code details insurance requirements for daily display signs which include a City additional insured provision. This process has added extra insurance costs for some businesses and requires a great deal of staff time to process applications to ensure the insurance requirements are met. Business owners are required to modify their liability policies to obtain the additional insured provision.

Discussion

The City's insurance broker and insurance consultant have recommended the additional insured provision be removed from daily sign display requirements. Businesses using daily display signs will still be required to carry general liability insurance and sign City hold harmless agreements, thereby providing insurance for any unforeseen claim, holding the City harmless from any liability associated with the display sign and providing a more streamlined system to process applications and support businesses drawing customers to their location.

Alternative Courses of Action:

1. Recommend approval of the proposed Amendments as proposed or as modified by the Planning Commission at the public hearing to the City Council;
2. Continue the hearing for more information, time to revise the proposed amendments based on the Commission's direction provided at this public hearing and/or to allow more public input; or
3. Recommend that the City Council not approve the Amendments.

Recommendation/Suggested Motion:

Staff recommends Option 1 or Option 2 depending on the Planning Commission's consideration of the amendments, public input, and/or comments provided by the City's legal counsel.

Heather Richards,
Community Development Director

Attachments:

Exhibit A – Development Code Amendments
Exhibit B - Findings

Exhibit A: Article V, Sign Standards – Development Code Amendments

Development Code Amendments (new text is **red**; deleted text is ~~strikethrough~~, unless otherwise stated):

SIGNS REGULATED BY CLASS

8.4250 Daily Display Signs. Daily display signs shall require a daily display sign permit from the Community Development Department and shall conform to the following standards.

1. One allowed per 25 feet of street-facing frontage.
2. One allowed per business.
3. Sign dimension shall not exceed a maximum width of three (3) feet and a maximum height, from ground level, of four (4) feet, but in no case shall exceed nine (9) square feet.
4. Set back behind the curb so as not to interfere with on-street parking, or, a minimum of ten (10) feet from the edge of the nearest street travel lane where curbs are not in place.
5. Signs may be located either on private property or in the public right-of-way, shall comply with the Americans with Disabilities Act (ADA), and shall not interfere with pedestrian movement of wheelchair access to, through, and around the site. A minimum access width of five (5) feet shall be maintained along all sidewalks and building entrances accessible to the public. Signs should be placed either next to the building / business or at the curbside by a street tree or other public amenity so as not to block on-street parking accessibility.
6. A City right-of-way permit must be obtained prior to approval of a sign permit. The sign permit and City right-of-way permit shall be revocable in case of noncompliance.
7. Shall not be placed in the clear vision triangle.
8. Shall not encroach into required off-street parking areas, public roadways, or alleys.
9. Shall be utilized only during regular business hours and shall be removed during non-business hours.
10. Shall be adequately supported and shall have a weighted based capable of keeping the sign upright.
11. Materials shall be of a permanent nature and not be subject to fading or damage from weather. Paper or cloth is not permitted unless located within a glass or plastic enclosure. A wood base is recommended.
12. No lighting is permitted as a part of the sign.
13. Sign shall appear professionally designed, manufactured, and be continuously maintained. All lettering shall be fixed. 40% of the sign may be chalk/white board.
14. ~~Owner shall provide city with copy of insurance certificate prior to approval of a Sign Permit, and insurance company shall notify the City no less than 10 business days~~

- ~~prior to cancelling the insurance policy.~~
15. A sign permit application for a Daily Display Sign to be located on public property and/or public right-of-way shall be accompanied by a certificate of insurance showing **that the owner to have the following coverage amounts has Commercial General Liability coverage as defined in the application, and that the insurance company shall notify the City no less than 10 business days prior to cancelling the insurance policy. to have the following coverage amounts:**
- ~~(1) Commercial General Liability insurance in an amount not less than \$500,000 per occurrence naming the City of Redmond, its officers, directors, agents, employees and volunteers as an additional insured by endorsement. Additional insured insurance shall be provided on a primary, non-contributory basis; and,~~
 - ~~(2) the Commercial General Liability insurance shall provide property damage coverage in an amount not less than \$100,000 per occurrence for any property damage.~~
16. The sign owner shall assume all liability for incidents involving the sign by signing a document exempting the city from liability.

Exhibit B
(Development Code Amendment –
Article V, Signage Standards, Section 8.4250),
Signs Regulated by Class

Findings for Development Code Amendments to amend the Chapter 8, Article V – Signage Standards, of the Redmond Development Code to remove the additional insured provisions required for Daily Display Signs.

Prepared by Heather Richards,
Community Development Director
City of Redmond

April, 2011

File No: TA 11-03: Development Code Amendments

Applicant: City of Redmond Community Development Department
716 SW Evergreen Avenue
P O Box 726
Redmond, OR 97756
Phone: (541) 923-7721
Fax: (541) 548-0706

Request: Adopt findings in support of amendments to the Redmond Development Code, Chapter 8, Article V – Signage Standards, Section 8.4250 to remove the additional insured provisions required for Daily Display Signs.

Location: Redmond City Limits

The following narrative provides findings in support of the proposed amendments with respect to Redmond Development Code, Section 8.0760 Criteria for Amendments: “The applicant shall show the proposed change is:”

1. “In conformity with all applicable State statutes;”

ORS 197.610(1): “A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land Conservation and Development at least 45 days before the first evidentiary hearing on adoption . . .”

Finding:

The City provided notice to the Director of the Department of Land Conservation and Development a minimum of 45 days before the first hearing on adoption.

Conclusion:

Based on the findings above, the proposed Code amendments conform to all applicable State of Oregon statutes.

2. “In conformity with the State-wide planning goals whenever they are determined to be applicable;”

Goal 1- Oregon’s Statewide Planning Goals: Citizen Involvement.

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City conducted a public workshop with the Urban Area Planning Commission on the proposed language amendments. All documents were available on the City’s website, and copies were available for the public. Further, meeting notices were published in the local newspaper, the Redmond Spokesman. In addition, the City provided public review and involvement opportunities during the public hearings (both at the Planning Commission and City Council levels) for the proposed amendments. The Urban Area Planning Commission serves as the City’s citizen advisory committee and is made up of Redmond area residents.

Goal 2- Oregon’s Statewide Planning Goals: Land Use Planning.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The Planning Commission has received input from staff, property owners and residents. Based on this input, and the Commission's own experience with the Development Code, the Commission believes the changes to the Code are necessary. The Commission has determined that enough factual and policy basis exists to support the proposed Code amendments. Such amendments meet Goal 2.

Conclusion:

Based on the findings above, the proposed Code amendments conform to applicable Statewide planning goals and statutes.

3. "In conformity with the Redmond Comprehensive Plan, land use requirements and policies; and"

Chapter 1 – Redmond Comprehensive Plan: Citizen Involvement.

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City conducted a public workshop with the Urban Area Planning Commission on the proposed language amendments. All documents were available on the City's website, and copies were available for the public. Further, meeting notices were published in the local newspaper, the Redmond Spokesman. In addition, the City provided public review and involvement opportunities during the public hearings (both at the Planning Commission and City Council levels) for the proposed amendments. The Urban Area Planning Commission serves as the City's citizen advisory committee and is made up of Redmond area residents.

The proposed amendments serve the following policies of Chapter 1 of the Redmond Comprehensive Plan.

1. The City shall establish a citizen involvement program to provide for widespread citizen involvement.
2. The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process.
3. The City shall assign the Redmond Urban Area Planning Commission as its officially recognized committee for citizen involvement (CCI).
4. The City shall establish mechanisms to assure two-way communications between citizens and elected and appointed officials.
5. The City shall provide the opportunity for citizens to be involved in all phases of

the planning process.

6. The City shall assure that technical information is available to citizens in an understandable form.
7. The City shall assure that recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers.
8. The City shall allocate adequate human, financial and informational resources for the citizen involvement program.

Chapter 2 – Redmond Comprehensive Plan: Land Use Planning.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The Planning Commission has received input from staff, property owners and residents. Based on this input, and the Commission’s own experience with the Development Code, the Commission believes the changes to the Code are necessary. The Commission has determined that enough factual and policy basis exists to support the proposed Code amendments. Such amendments meet Goal 2.

Conclusion:

Based on the findings above, the proposed amendments conform to the Redmond Comprehensive Plan where applicable.

4. **“That there is a change of circumstances or further studies justifying the amendment or mistake in the original zoning.”**

Finding:

Provisions are prohibitive and onerous to manage and enforce.

Conclusion:

The above findings demonstrate that the proposed amendments meet the section 8.0760 Criteria for Amendments to the Development Code.



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EXHIBIT 3

DATE: April 19, 2011
TO: Urban Area Planning Commissioners
FROM: Heather Richards, Community Development Director
SUBJECT: Public Hearing, TA 11-04 – Development Code Amendments: Section 8.0820 – 8.0880, Preservation of Historic Resources

Report in Brief:

This is a public hearing to consider an amendment to the Redmond Development Code, Section 8.0820 – 8.0880, Preservation of Historic Resources in support of establishing a Redmond Historic Landmarks Commission that will serve as the local land-use advisory body for the preservation of historic resources in the City of Redmond. Currently that work is performed by the Deschutes County Landmarks Commission.

Background:

Goal 5 of Oregon's state-wide land use goals focuses on the conservation of open spaces, historic, cultural and natural resources. The most common methodology of achieving this goal as it pertains to historic and cultural resources is to adopt a local landmarks program that identifies and preserves buildings, structures, objects, sites and/or districts in the community that are of historic and cultural significance for present and future generations. Currently Redmond manages this program in partnership with the Redmond Historical Commission, Deschutes County Landmarks Commission and Redmond Development Code, 8.0820 – 8.0880. With the dissolution of the Redmond Historical Commission, now is a great opportunity to develop a local Historic Landmarks Commission that is specific to Redmond and supports and promotes an active historic preservation program in Redmond that is successful and well-received.

The Deschutes County Landmarks Commission is comprised of one Redmond representative. This commission seat has remained vacant for approximately four months this year. After many meetings with representatives of the Deschutes County Landmarks Commission and past Redmond representatives who served on the Deschutes County Landmarks Commission, it was agreed that a historic preservation program specific to Redmond's needs and values should be pursued.

Historic preservation means many different things to many different stakeholder groups and to many different communities. And sometimes for a historic preservation program to be effective and productive, it needs to be governed and managed by the local community. That is the case with the City of Redmond. The City of Redmond's historic preservation program has been stagnant for many years. With little interest, limited advocacy and the lack of a targeted program, very few historic and cultural resources have been identified in recent years for preservation. The most recent effort was an

Attachments:

Exhibit A: Development Code Amendments: Section 8.0820 – 8.0880

Exhibit B: Findings

Intensive Level Survey conducted by Michael Hall in 2009, with recommendations for landmark designation that could be promoted by a local Historic Landmarks Commission.

Although, a historic preservation program in Redmond has not been overly active in recent years, several opportunities exist to preserve Redmond's historic and cultural resources as a community and economic development tool.

A good historic preservation program can positively serve the community in many ways: 1) Raising awareness of local history and how the built environment reflects that history; 2) Defining the community as a unique place; 3) Promoting economic development through adaptive reuse of landmark structures and participating in historic tax credit programs for redevelopment; 4) Encouraging sustainability through the adaptive reuse of existing structures in areas already served with public infrastructure; and 5) Serving as a foundation for a tourism program, etc.

In 1997, 466 historic resources were surveyed for inclusion into the Statewide Inventory of Historic Resources. Thirty-two (32) of those resources were identified as having the potential to be individually listed on the National Register of Historic Places, a federal historic preservation program. An additional two hundred (200) resources could be listed on the National Register of Historic Places as part of historic district or multiple property nomination.

Redmond has the opportunity to utilize the Centennial as a springboard for developing a more effective historic preservation program that achieves many of the results outlined above.

On February 22, 2011, the Redmond City Council adopted Ordinance No. 2011 – 01, establishing the Redmond Historic Landmarks Commission, Redmond City Code, Section 2.590 – 2.596.

Discussion:

The next step after amending the Redmond City Code to enable the establishment of a Redmond Historic Landmarks Commission is to work with the Deschutes County Landmarks Commission to remove the Redmond Representative, and to amend the Redmond Development Code, Section 8.0820 – 8.0880, directing all land-use decisions as they pertain to historic and cultural resources in the City of Redmond to be administered and evaluated by the Redmond Historic Landmarks Commission.

Alternative Courses of Action:

1. Recommend approval of the proposed Amendments as proposed or as modified by the Planning Commission at the public hearing to the City Council;
2. Continue the hearing for more information, time to revise the proposed amendments based on the Commission's direction provided at this public hearing and/or to allow more public input; or
3. Recommend that the City Council not approve the Amendments.

Recommendation/Suggested Motion:

Staff recommends Option 1 or Option 2 depending on the Planning Commission's consideration of the amendments, public input, and/or comments provided by the City's legal counsel.

Heather Richards
Community Development Director

Attachments:

Exhibit A: Development Code Amendments: Section 8.0820 – 8.0880

Exhibit B: Findings

Exhibit A: Article I, Zoning Standards – Development Code Amendments

Development Code Amendments (new text is **red**; deleted text is ~~strikethrough~~, unless otherwise stated):

PRESERVATION OF HISTORIC RESOURCES BUILDINGS AND SITES

8.0820 Purpose. Districts, buildings, and sites in the City of Redmond having special historic and prehistoric association or significance should be preserved as a part of the heritage of the citizens of the city and for the education, enjoyment, and pride of the citizens, as well as the beautification of the City and enhancement of the value of such property. To that end, **a program for the identification, evaluation, and designation of historic resources as landmarks, and land use regulations regarding the alteration, moving or demolition of designated landmarks and historic resources are necessary.** ~~regulatory controls and administrative procedures are necessary.~~

8.0825 Administration.

1. This code shall be administered by the **Redmond Historic Landmarks Commission** ~~Deschutes County Historical Landmarks Commission (Landmarks Commission), as defined by Redmond City Code, Section 2.590 – 2.596.~~ The ~~Landmarks Commission~~ is composed of nine voting and unnumbered non-voting ex-officio members who have demonstrated expertise in historic preservation related disciplines. ~~The mayor of Bend with the advice and consent of City Council shall appoint four Commissioners to represent the City of Bend; the Mayor of Redmond shall appoint one Commissioner to represent the City of Redmond; the mayor of Sisters shall appoint one Commissioner to represent the City of Sisters; and the Board of County Commissioners shall appoint one Commissioner to represent the unincorporated portion of the county. The president of the Deschutes County Historical Society shall recommend one Commissioner to represent the Historical Society and the Deschutes County Pioneer Association President shall recommend one Commissioner to represent the Pioneer Association. The Board of County Commissioners shall appoint the Commissioners who represent the Historical Society and the Deschutes County Pioneer Association. The ex-officio members shall be appointed by the Deschutes County Board of Commissioners. Landmarks Commissioners shall be qualified as defined in the National Park Service's Certified Local Government Program requirements. (Appendix D Section 2). Appendix D, by this reference, is incorporated herein.~~
2. ~~Landmarks Commissioners serve four-year terms. Commissioners shall serve without compensation. Any vacancy occurring in a position for any reason other than expiration of a term shall be filled by appointment for the remainder of the term.~~
3. The Commission shall serve as a land use decision making body on **all historic resource land-use** applications required by **Redmond City Code** ~~this ordinance~~ and as an advisory body to the City Council on city policy, ordinances, decisions, and on city projects that could affect the historic resources and their settings that are protected by this code.

8.0830 Definitions. The following terms are defined as indicated:

1. ~~Alteration: An addition, removal, or reconfiguration which significantly changes the character of a historic resource, including new construction in historic districts. The word "alternative" shall mean the addition to, removal of or from, or physical modification of any exterior part or portion of a structure and/or building or structure and/or building in a designated historic district. A minor alteration is one which does not affect the historical and architectural significance of the structure or building.~~
2. Architectural Significance: The term "architectural significance" shall mean that the structure and/or building or district;
 - A. portrays the environment of a group of people in an era of history characterized by a distinctive architectural style;
 - B. embodies those distinguishing characteristics of an architectural type;
 - C. is the work of an architect or master builder whose individual work has influenced the development of the city; or
 - D. contains elements of architectural design, detail, materials, or craftsmanship which represent a significant innovation.
3. Demolish: The word "demolish" shall mean to raze, destroy, dismantle, deface or, in any other manner, cause partial or total ruin of a designated landmark or structure and/or building or a designated landmark or structure and/or building in a historic district.
4. Exterior: The word "exterior" shall mean any portion of the outside of a designated historic structure and/or building or a structure and/or building in a designated historic district or any addition thereto.
5. Historic Artifacts: Three-dimensional objects in furnishings, art objects, architectural elements, building materials and items of personal property which have historic significance. "Historic artifacts" does not include photographs, paper, electronic media or other media that are classified as public records.
6. Historic Contributing: A building, structure, site or object that retains or exhibits sufficient integrity (materials, design and setting) to convey a sense of history. These resources strengthen the historic character of the City of Redmond.
7. Historic Integrity: The quality of all of the components of the resource, including historic location, design, setting, materials, workmanship, feeling, and/or association of a resource, as opposed to its physical condition.
8. Historic Landmark: A property officially recognized by the City of Redmond as important in its history. All designated historic buildings, structures or objects on the Redmond Historic Landmarks Inventory are considered landmarks. A landmark is either a historic contributing building, site, structure or object.
9. Historic Landmarks Inventory: The list of, and record of information about, properties officially recognized by the City of Redmond as historic landmarks, including those resources designated by the State and the National Register of Historic Places.
10. Historic Non-Contributing: A building, structure, site or object that retains but does not exhibit sufficient historic features to convey a sense of history.
11. Historic or Cultural Resource: A historic or cultural site, building, structure, object, historic district, and their significant settings or any combination of these resources that are either listed or deemed eligible for listing on the National Register of Historic Places, or are within a historic district that is either listed or deemed eligible for listing on the National Register of Historic Places, and/or are designated by the Redmond City Council on the City's Goal 5 Local Landmarks List of Historic and Cultural Resources.
 - A. Building – A construction made for purposes of shelter or habitation, e.g. house, barn, store, theater, train station, garage, school, etc.

- B. Structure – A construction made for functions other than shelter or habitation, e.g. bridge, windmill, dam, highway, boat, kiln, etc.
 - C. Object – A construction which is primarily artistic or commemorative in nature and not normally movable or part of a building or structure, e.g. statue, fountain, milepost, monument, sign, etc.
 - D. Site – The location of a significant event, use, or occupation which may include associated standing, ruined, or underground features, e.g. battlefield, shipwreck, campsite, cemetery, natural feature, garden, food-gathering area, etc.
 - E. District – A geographically defined area possessing a significant concentration of buildings, structures, objects, and/or sites which are unified historically by plan or physical development, e.g. downtown, residential neighborhood, military reservation, ranch complex, etc.
12. Historical Significance: The term "historical significance" shall mean that the structure and/or building or district;
- A. has character, interest, or value as part of the development, heritage, or cultural characteristics for the city, county, state, or nation;
 - B. is the site of a historic event with an effect upon society;
 - C. is identified with a person or group of persons who had some influence on society, or
 - D. exemplifies the cultural, political, economic, social, or historic heritage of the community.
13. Landmarks Commission: This term shall mean the ~~Redmond Historic Deschutes County Historical~~ Landmarks Commission.
14. National Register of Historic Places: The nation's official list of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, and culture.
15. Period of Significance: The span of time when a property or district attained its historic significance.
16. State Historic Preservation Office: Each state has a designated State Historic Preservation Office (SHPO) to help the Federal government administer provisions of the National Historic Preservation Act. The SHPO is aided by a professional staff and review board.

8.0835 Designation of Historical Building or Site. The designation of historic landmarks allows the City to formally recognize, rate and protect its historic and architectural resources. Properties listed on the National Register of Historic Places are eligible for automatic listing on the Redmond Historic Landmarks Inventory. The Redmond Historic Landmarks Inventory identifies buildings, sites, structures, objects and districts of historical importance or architectural significance that are considered exemplary of their time and style. The regulation of designated and rated historic landmarks provides a means to review proposed changes and encourage the preservation of historical or architectural values. Periodically it may be necessary to re-rate or remove the designation of a historic landmark to reflect changing conditions, community values or needs.

1. Upon receipt of a request by the Landmarks Commission to designate a particular building or site within the city limits of Redmond as a historical building or site, or upon direction by the Redmond City Council on its own motion, the City Planning Department shall advise the owner of such building or site and shall fix a date and time for a public hearing before the City Council thereon.
2. Shall transmit a copy of the request to the Landmarks Commission unless such a request has come from the Landmarks Commission.

3. The Landmarks Commission shall submit its recommendation to the Redmond City Council at least 10 days prior to the public hearing.
4. At such public hearing, the owner of the property involved, a representative of the Landmarks Commission, and all other interested parties shall be entitled to be heard by the City Council.
5. Any request for historic designation must be filed with the City Planning Department before the date of application for any building, conditional use, or any other application or permit which might be affected by such historic designation.
6. If the City Council determines that a building inside the city limits proposed for designation as a historical building has architectural significance or is of historical importance based upon past or present use, the council may designate such building as a historical building.
7. If the council finds that a particular site had a prior use involving the establishment, growth, or particular incidents relating to the history of the City, the council may designate the same as a historical site.
8. If any historical building has been demolished or destroyed, the city, on its own motion or upon recommendation of the Landmarks Commission, may remove the historical building designation therefrom.
9. If the designation is proposed to be removed from any historical building or site for any other reason than set forth in the preceding sentence, then similar notices, recommendations, and hearings shall be held as upon the designation of a building or site as historical building designation of a building or site as historical in the first instance.
10. A historical or architecturally significant interior space or other portion of a building may be designated as a historic building in the same manner as provided in this section; provisions of this code relating to historical buildings shall be applicable to such designated interior space or other portion of a building.
11. The City Council may make a recommendation regarding any request to designate a particular building or site within the urban growth area as a historical building or site. As used in this section, "urban growth area" is that area outside the City limits but within the urban growth boundary.
12. At the time of annexation to the city, all designated historical sites within the annexation area shall automatically revert to within city jurisdiction unless a public hearing is held to remove the site from the historical designation.

8.0840 Designation of a Building or Site of Historical Interest.

1. If the City Council finds that a particular site is of historical interest but does not meet the criteria for designation as a historical building or site, the council may designate said building or site as a building or site of historical interest.
2. Buildings or sites designated as being of historical interest shall not be required to comply with the requirements of this code except in the event of demolition or of major alteration. In this instance, the owner must notify the City within at least ten (10) days prior to said demolition or major alteration and permit the City to take photographs of the site or building.
3. The City and/or Landmarks Commission may also make recommendations to the owner regarding alternatives to demolition or major alteration which would be detrimental to the building or site designation as being of historical interest.

8.0845 Designation of Historical District.

1. Upon receipt of a request by the Landmarks Commission to designate an area as a historical district or upon direction by the City Council, the Planning Department shall fix a date and time for a public hearing before the City Council thereon.
2. The Planning Department shall notify owners within the proposed historical district, the Redmond Urban Area Planning Commission, and shall transmit a copy of the request to the Landmark Commission unless such request has been made by the Landmark Commission.
3. At such public hearing, the owner of the property involved, a representative of the Landmarks Commission and all other interested parties shall be entitled to be heard by the City Council.
4. If the City Council determines that an area proposed to be designated as a historical district has architectural significance or is of historical importance based upon past or present use, the council may designate such area as a historic district.
5. If the city Council determines that an area outside the city limits but inside the adopted urban growth boundary is proposed to be designated as a historical district for the same reasons, the council may recommend to the Board of County Commissioners that such area be designated as a historical district.
6. All sites or buildings within a district need not be of historical or architectural significance, provided the district as a whole is of such importance or significance.
7. If the primary or significant buildings within a historical district have been demolished or destroyed, the City Council, on its own motion, may remove the historical district designation.
8. If the designation is proposed to be removed from any historical district for any other reason than set forth in the preceding sentence, then similar notices, recommendations, and hearing shall be held as upon the designation of the historical district in the first sentence.
9. Any request for a historic district designation must be filed with the Landmark Commission before the date of application for any building, conditional use, or any other application or permit which might be affected by such historical designation.
10. If a designated historical district is within an area of annexation at the time of annexation of the City, that historical district shall automatically revert to within city jurisdiction unless a public hearing is held to remove the historic district designation.

8.0850 Designation Not a Recommendation for Federal Action. Nothing in this code nor the designation of a historical district under Section 6 shall be interpreted as a recommendation by the City Council supporting designation of any building or structure as a "Certified Historic Structure" for purposes of Section 191 (d), (1), (b), or (c) of the Federal Tax Reform Act of 1976. No such recommendation or certification shall be made without notice to affected parties and an additional hearing thereof.

8.0855 Exterior Alteration and New Construction.

1. Except as provided pursuant to Section H, no person may alter any structure in a historic district, designated historic building, or any landmark in such a manner as to affect its exterior appearance, nor may any new structure and/or building be constructed unless a certificate of approval has been issued by the Landmarks Commission and the planning director.
2. Application for such a certificate shall be made to the Planning Department and shall be referred to the Landmarks Commission for review or hearing.
 - A. Minor alterations may be acted upon by the planning director or his/her designee by administrative review.

3. All applications must be accompanied by appropriate plans and/or specifications.
4. Any request for a certificate of approval must be filed prior to or in conjunction with an application for any building or land use permit.
5. For exterior alterations of structures and/or buildings in a historic district or a designated historic structure and/or building, the criteria to be used by the Landmarks Commission in reaching its decision on the certificate of approval shall include the following:
 - A. Provisions of the Redmond Urban Area Comprehensive Plan.
 - B. The reasonableness of the proposed alteration and the relationship to public interest in the structure's and/or building's preservation or renovation.
 - C. The value and significance of the structure and/or building.
 - D. The physical condition of the structure and/or building.
 - E. The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture, and materials proposed to be used with an existing structure and/or building.
 - F. Other pertinent aesthetic factors as appropriate.
6. For construction of new structures and/or buildings in a designated historic district, the criteria to be used in the issuance of a certificate of approval shall include the following:
 - A. The purpose as set forth in Section 1.
 - B. The provisions of the Redmond Urban Area Comprehensive Plan.
 - C. The economic effect of the new structure and/or building on the historical value of the district.
 - D. The effect of the proposed new structure and/or building on the character of the district.
 - E. The general compatibility of the exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used in the construction of the new structure and/or building.
 - F. Economic, social, environmental and energy consequences.
7. All decisions on certificates of approval shall be in writing.
8. Nothing in this code shall be constructed to prevent the ordinary maintenance or repair (i.e., painting) of exterior architectural features which does not involve a change in design or type of materials unless the building official can certify the repair is required for the public safety because it is an unsafe or dangerous condition.
9. All decisions concerning the certificate of approval are subject to appeal to the City Council as set forth in Section 12.

NOTE: Design Review Guidelines for Alterations and Additions and Design Review Guidelines for New Construction are hereby made a part of this code as appendices B and C pursuant to Section 7.

8.0860 Demolition - Building Condemnation.

1. If an application is made for the demolition of any designated historic structure and/or building or a structure and/or building within a historic district or landmark, the application shall be transmitted, before action is taken, to the Landmarks Commission within seven (7) days of the application.
2. The Landmarks Commission shall hold a public hearing within thirty (30) days on the acceptance of the application.
3. The applicant, the owner of the property, and any interested parties shall be entitled to be heard.

4. In determining the appropriateness for the demolition as proposed in the application, the Landmarks Commission shall consider the following:
 - A. All plans, drawings, and photographs as may be submitted by the applicant.
 - B. Information presented at a public hearing held concerning the proposed work.
 - C. The Redmond Urban Area Comprehensive Plan.
 - D. The purpose of this code as set forth in Section 1.
 - E. The criteria used in the original designation of the landmark or district in which the property owner under consideration is situated.
 - F. The historical and architectural style, the general design, arrangement, materials of the structure and/or building in question or its appurtenant fixtures, and the relationship of such features to similar features of other buildings within the city and the position of the structure and/or building in relationship to public rights-of-way and to other buildings and structures in the area.
 - G. The effects of the proposed work upon the protection, enhancement, perpetuation, and use of the structure and/or building which cause it to possess a special character, special historical or aesthetic interest, or value.
 - H. Whether delay of the permit will involve substantial hardship to the applicant and whether issuance of the permit would act to the substantial detriment of the public welfare and would be contrary to the intent and purposes of this code.
 - I. Economic, social, environmental, and energy consequences.
5. The Landmarks Commission may approve the demolition request after considering the criteria contained in Section D.
2. If not appeal is filed, the building official shall issue the permit in compliance with other codes and ordinances of the city.
3. The Landmarks Commission may suspend the application for a demolition permit if it is determined that, in the interest of preserving historical values, the structure and/or building or landmark should not be demolished and, in that event, issuance of the permit shall be suspended for a period fixed by the commission as follows: The Landmarks Commission may invoke a stay of demolition for a period not exceeding thirty (30) days from the date of public hearing. The commission may invoke an extension of the suspension period if it determines that there is a program or project under way which could result in public or private acquisition or relocation of such structure and/or building or site and that there is reasonable ground to building or site and that is reasonable ground to believe that such program or project may be successful; then the commission, at its discretion, may extend the suspension period in thirty (30) day increments for an additional period not exceeding ninety (90) days, to a total of not more than one hundred twenty (120) days from the date of acceptance of the demolition permit. During such period of suspension of permit application, no permit shall be issued for such demolition nor shall any person demolish the structure and/or building. If all such programs or projects are demonstrated to the commission to be unsuccessful and the applicant has not withdrawn his application for a demolition permit, the building official shall issue such permit if the permit application otherwise complies with the codes and ordinances of the city.
4. Action by the Landmarks Commission suspending issuance of a permit for demolition may be appealed to the City Council by the applicant for permit by filing a notice of appeal in the same manner as provided for in Section 13 for appeals.
5. Before any action is taken to condemn a structure and/or building designated as a historical building or site or any structure and/or building within a designated historic district, the Landmarks Commission shall review the report of the City Building Department and any other city departments relating to the condition of the building and the premises and the extent of its danger, deterioration, or decay. The Landmarks

Commission shall report on its review and make a recommendation concerning city action to the City Council before official action of condemnation is instituted.

6. The Landmarks Commission may identify specific structures and/or buildings within a designated historical district which will be exempt from the provisions of this section governing review of a permit for demolition.
7. The same procedure as stated in this section shall apply to building extraction.

8.0865 Record of Demolished Historical Building/Artifacts.

1. If a designated historical building is to be demolished, insofar as practicable and as funds are available, the Landmarks Commission shall keep a pictorial and graphic history of the historical building or historical site with additional data as it may obtain.
2. To the extent funds are available of the Landmarks Commission may obtain donations thereof, the Landmarks Commission shall obtain artifacts from the building or site which it deems worthy of preservation, such as carvings or other materials it deems of artistic or historical importance.

8.0870 Signs/Plaques. The owner of a designated historical building or site or the occupant thereof, with the consent of the owner, may install an identification plaque or sign indicating the name, date architect, or other appropriate information upon the property, provided that the size, material, design, location, and text of such plaque or sign is approved by the Deschutes County Historical Society.

8.0875 Redevelopment and Neighboring Improvement Projects.

1. In any redevelopment project or neighboring improvement project administered by a department of the city or submitted to the City Council for its review and recommendation, the proposed action relating to a designated historical district, building, or site shall be submitted to the Landmarks Commission for its review and recommendation.
2. A report thereon by the Landmarks Commission shall be filed by the City Council and a copy shall be sent to the appropriate city department.

8.0880 Appeals. Appeals from actions of the Landmarks Commission shall be to the Redmond City Council and may be filed by the applicant, the owner, occupant of the site or district concerned, or by any other person who participated in the initial hearing. Appeals must be filed within fifteen (15) days from the date of action by the Landmarks Commission, shall be filed on a form provided by the Planning Department, and shall be accompanied by a fee set for appeals by the Redmond City Council may be appealed to the Land Use Board of Appeals in accordance with rules and procedures established by state law and that board.

Redmond Historic Preservation Code

Appendix "A", Appendix "B", and Appendix "C"

PRESERVATION OF HISTORIC BUILDINGS AND SITES

**APPENDIX "A"
RATING SHEET**

RATING

BUILDING/STRUCTURE

LOCATION

TOWN/VICINITY

EVALUATOR

DATE

Scoring on Scale of 1-5

- 5 - Excellent
- 4 - Very Good
- 3 - Good
- 2 - Fair
- 1 - Poor
- 0 - Non-existent

DESCHUTES COUNTY REDMOND HISTORIC LANDMARKS COMMISSION RATING SHEET

Factors	Relative Importance	Weighted Rating
1. Interpretive Potential: Property is associated with historic or famous events, is related to the broad cultural history of the nation, state or community, is included on the National Register of Historic Places.	3.0 x	
2. Rarity of type and/or Style: Property represents a period of history or prehistory or style of architecture or method of construction of extraordinary or unusual design, detail, materials, or craftsmanship; or is identified as the work of an architect, designer or master builder whose work has influenced development in the nation, state or community.	2.0 x	
3. Identification: Property is identified with a person or persons who have significantly contributed to the history of the City or County.	1.5 x	
4. Symbolic Value: Property represents an aesthetic or educational feature of the community, or has contributed to the cultural or economic history of the area.	1.5 x	
5. Chronology: Property was developed early in the relative scale of	1.0 x	

local history or was an early expression of a type or style of structure or development.		
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APPENDIX "B"

DESIGN REVIEW GUIDELINES

ALTERATIONS / ADDITIONS

A. SITING

1. In addition to the zoning requirements, the relationship of new additions to the street and to the open space between buildings shall be compatible with adjacent historic buildings and with the historic character of the surrounding area.
2. New additions shall be sited so that the impact to the primary facades(s) is kept to a minimum. Additions shall generally be located at the rear portions of the property or in such locations where they have the least visual impact from public ways.

B. LANDSCAPE

1. Traditional landscape elements evident in the district - grass, trees, shrubs, picket fences, etc. - should be preserved and are encouraged in site redevelopment.
2. Inappropriate landscape treatments, such as berms and extensive ground cover, are discouraged.

C. BUILDING HEIGHT

1. In addition to the zoning requirements, the height of new additions shall not exceed the height of the historic building, or of historic buildings in the surrounding area.

D. BUILDING BULK

1. New additions smaller than the historic building or the historic buildings in the surrounding area are encouraged.
 - (a) Where new additions must be larger, the new addition shall be articulated in such a manner that no single element is visually larger than the historic building or larger than the surrounding historic buildings.

E. PROPORTION AND SCALE

1. The relationship of height to width of new additions and their sub-elements, such as windows and doors and of alterations, shall be compatible with related elements of the historic building and with the historic character of the surrounding area.
2. The relationship of solids to voids (wall to window) shall be compatible with related elements on the historic building and with the historic character of the surrounding area.

F. EXTERIOR FEATURES

1. General

(a) To the extent practicable, original historic architectural elements and materials shall be preserved.

(b) Architectural elements and materials for new additions shall be compatible with related elements of the historic building and with the historic character of the surrounding area.

(c) The preservation, cleaning, repair, and other treatment of original materials shall be in accord with the Secretary of Interior's Standards of Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

2. Foundations:

(a) Concrete or masonry foundations to replace deteriorated wood foundations are encouraged. Such new foundations shall be covered with board skirting or similar treatment to match the original appearance and extend to within six to eight inches (6" - 8") of the ground level.

(b) Concrete or masonry foundations for new additions need not be covered with material that stimulates earlier construction.

(c) New foundations shall not significantly alter the historic elevation of the building.

3. Roofs:

(a) Roofs on new additions shall be of forms (gabled, hipped, etc.) that are compatible with the historic building and the historic character of the district.

MASONRY

(Adobe, Brick, Stone, Terra Cotta, Concrete, Stucco, Mortar)

RECOMMENDED*

Retaining original masonry and mortar, whenever possible, without the application of any surface treatment.

Repointing only those mortar joints where there is evidence of moisture problems or when sufficient mortar is missing to allow water to stand in the mortar joint.

Duplicating old mortar in composition, color, and texture.

Duplicating old mortar in joint size, method of application, and joint profile.

Repairing stucco with a stucco mixture that duplicates the original as closely as possible in appearance and texture.

Cleaning masonry only when necessary to halt deterioration or to remove graffiti and stains, and always with the gentlest method possible, such as low pressure water and soft, natural bristle brushes.

Repairing or replacing, where necessary, deteriorated material with new material that duplicates the old as closely as possible.

Replacing missing significant architectural features, such as cornices, brackets, railings, and shutters.

Retaining the original or early color and texture of masonry surfaces, including early signage wherever possible. Brick or stone surfaces may have been painted or whitewashed for practical and aesthetic reasons.

NOT RECOMMENDED

Applying waterproofing or water repellent coating or surface consolidation treatments unless required to solve a specific technical problem that has been studied and identified. Coatings are frequently unnecessary, expensive, and can accelerate deterioration of the masonry.

Repointing mortar joints that do not need repointing. Using electric saws and hammers to remove mortar can seriously damage the adjacent brick.

Repointing with mortar of high Portland cement content can often create a bond that is stronger than the building material. This can cause deterioration as a result of the differing coefficient of expansion and the differing porosity of the material and the mortar.

Repointing with mortar joints of a differing size or joint profile, texture, or color.

Sandblasting, including dry and wet grit and other abrasives, brick, or stone surfaces; this method of cleaning erodes the surface of the material and accelerates deterioration. Using chemical reaction with the masonry materials, i.e., acid on limestone or marble.

Applying new material which is inappropriate or was unavailable when the building was constructed, such as artificial brick siding, artificial cast stone, or brick veneer.

Removing architectural features such as cornices, brackets, railings, shutters, window architraves, and doorway pediments.

Removing paint from masonry surfaces indiscriminately. This may subject the building to damage and change its appearance.

WOOD

(Clapboard, Weatherboard, Shingles, and Other Wooden Siding)

RECOMMENDED

Retaining and preserving significant architectural features wherever possible.

Repairing or replacing, where necessary, deteriorated material that duplicates in size, shape, and texture, the old as closely as possible.

NOT RECOMMENDED

Removing architectural features such as siding, cornices, brackets, window architraves, and doorway pediments. These are, in most cases, an essential part of a building's character and appearance that illustrate the continuity of growth and change.

Resurfacing frame buildings with new material that is inappropriate or was unavailable when the building was constructed, such as artificial stone, brick, veneer, asbestos, or asphalt shingles and plastic or aluminum siding. Such material can also contribute to the deterioration of the structure from moisture and insects.

ARCHITECTURAL METALS

(Cast Iron, Steel, Pressed Tin, Aluminum, and Zinc)

RECOMMENDED

Retaining original material, whenever possible.

Cleaning when necessary with the appropriate method. Metals should be cleaned by methods that do not abrade the surface.

NOT RECOMMENDED

Removing architectural features that are an essential part of a building's character and appearance, illustrating the continuity of growth and change.

Exposing metals which were intended to be protected from the environment. Do not use cleaning methods which alter the color, texture, and tone of the metal.

ROOFS AND ROOFING

RECOMMENDED

Preserving the original roof shape.

Retaining the original material, whenever possible.

Providing adequate roof drainage and ensuring that the roofing materials provide a weathertight covering for the structure.

Preserving or replacing, where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting, and weather vanes.

NOT RECOMMENDED

Changing the essential character of the roof by adding inappropriate features such as dormer windows, vents, or skylights.

Applying new roofing material that is inappropriate to the style and period of the building and neighborhood.

Stripping the roof of architectural features important to its character.

WINDOWS AND DOORS

RECOMMENDED**

Retaining and repairing window and door openings, frames, sash, glass, doors, lintels, sills, pediments, architraves, hardware, awnings, and shutters where they contribute to the architectural and historic character of the building.

Improving the thermal performance of existing windows and doors through adding or replacing weatherstripping and adding storm windows and doors which are compatible with the character of the building and which do not damage window or door frames.

Replacing missing or irreparable windows on significant facades with new windows that match the original in material, size, general muntin and mullion proportion and configuration, and reflective qualities of the glass.

Replacing missing or irreparable windows on significant facades with new windows that match the original in material, size, general muntin and mullion proportion and configuration, and reflective qualities of the glass.

NOT RECOMMENDED

Introducing or changing the location or size of windows, doors, and other openings that alter the architectural and historic character of the building.

Replacing window and door features on significant facades with historically and architecturally incompatible materials such as anodized aluminum, mirrored or tinted glass.

Removing window and door features that can be repaired where such features contribute to the historic and architectural character of the building.

Installing on significant facades shutters, screens, blinds, security grills, and awnings which are historically inappropriate and which detract from the character of the building.

Installing new exterior storm windows and doors which are inappropriate in size or color, or which are inoperable, or which require removal of original windows and doors.

Installing interior storm windows that allow moisture to accumulate and damage the window.

Replacing sash which contribute to the character of the building with those that are incompatible in size, configuration, and reflective qualities or which alter the setback relationship between window and wall.

Replacing sash which contribute to the character of the building with those that are incompatible in size, configuration, and reflective qualities or which alter the setback relationship between window and wall.

Installing heating / air conditioning units in the window frames when the sash and frames may be damaged. Window installations should be considered only when all other viable heating / cooling systems would result in significant damage to historic material.

STOREFRONTS

RECOMMENDED

Retaining and repairing existing storefronts, including windows, sash, doors, transoms, signage, and decorative features where such features contribute to the architectural and historic character of the building.

Where original or early storefronts no longer exist or are too deteriorated to save, retaining the commercial character of the building through (1) contemporary design which is compatible with the scale, design, materials, color, and texture of the historic buildings, or (2) an accurate restoration of the storefront based on historical research and physical evidence.

NOT RECOMMENDED

Introducing a storefront or new design element on the ground floor, such as an arcade, which alters the architectural and historic character of the building and its relationship with the street or its setting or which causes destruction of significant historic fabric.

Using materials which detract from the historic or architectural character of the building, such as mirrored glass.

Altering the entrance through a significant storefront.

ENTRANCES, PORCHES, AND STEPS

RECOMMENDED

Retaining porches and steps that are appropriate to the building and its development. Porches or additions reflecting later architectural styles are often important to the building's historical integrity and, wherever possible, should be retained.

Repairing or replacing, where necessary, deteriorated architectural features of wood, iron, cast iron, terra cotta, tile, and brick.

NOT RECOMMENDED

Removing or altering porches and steps that are appropriate to the building's development and style.

Stripping porches and steps of original material and architectural features, such as hand rails, balusters, columns, brackets, and roof decoration of wood, iron, cast iron, terra cotta, tile, and brick.

Enclosing porches and steps in a manner that destroys their intended appearance.

* For more information, consult Preservation Briefs:

- 1) "The Cleaning and Waterproofing of Masonry Buildings"
- 2) "Repointing Mortar Joints in Historic Brick Buildings" (Washington, D.C.; Heritage Conservation and Recreation Service, 1975 and 1976). Both are available from the Government Printing Office or State Historic Preservation Officers.

** For more information, consult Preservation Briefs:

- 3) "Conserving Energy in Historic Buildings" (Washington, D.C.; Heritage Conservation and Recreation Service, 1978). It is available from the Government Printing Office or State Historic Preservation Office.

APPENDIX "C"

DESIGN REVIEW GUIDELINES

NEW CONSTRUCTION

A. GENERAL

1. New construction shall be compatible in size, form, scale, materials, and texture with adjacent historic buildings and with dominant architectural character of the district.
2. Contemporary designs expressing the elements described in 1. above are encouraged.
3. Imitating in detail an earlier style of architecture is discouraged.

B. SITING

1. In addition to the zoning requirements, the relationship of new construction to the street and to the open space between buildings shall be compatible with surrounding historic buildings and with the historic character of the district.

C. LANDSCAPE

1. Traditional landscape elements evident in the district--grass, trees, shrubs--are encouraged in new development.
2. Inappropriate landscape treatment such as berms and extensive ground cover areas are discouraged.

D. BUILDING HEIGHT

1. In addition to the zoning requirements, the height of new construction shall not exceed the height of the tallest historic building of similar type in the district.

E. BUILDING BULK

1. The apparent size of primary elements of new construction shall not exceed that of the largest historic building in the district.

F. PROPORTION AND SCALE

1. The relationship of height to width of primary and secondary elements of new construction shall be compatible with the dominant historic character of the district, such as the typical historic windows which have an approximate proportion of 2 vertical to 1 horizontal.
2. The relationship of solid to void (wall to window) shall be compatible with the dominant historic character of the district.

G. EXTERIOR FEATURES

1. General:

(a) Exterior features such as bays, porches, balconies, and other architectural elements that establish the district's historic character are encouraged in new construction.

2. Materials:

(a) New construction should employ materials traditional to the district--wood, stone, and brick. Such materials should be employed in their traditional configuration, e.g., drop siding, common brick, standard shingles.

(b) Inappropriate materials such as plywood, plastic and metal sidings, imitation brick and stone, and raw aluminum window frames are discouraged.

3. Roof Form:

(a) Primary roofs shall be gabled with pitches in the range of 12/12 to 12/8 to reflect the dominant roof pitches of the district's primary historic buildings.

4. Garages/Carports:

(a) When feasible, garages and carports should be located on the site where they have the minimum visual impact from public ways.

(b) Where garages must face the street front, they should be designed to minimize their bulk and visual impact. Single-car garage doors should be employed.

5. Signs:

(a) In addition to the sign code regulations, the size, placement, type, design, and materials of signs shall be compatible with the historic building and the historic character of the district.

(b) Standard back-lighted metal framed plastic signs are discouraged.

APPENDIX "D"

THE FEDERAL REQUIREMENTS OF THE CERTIFIED LOCAL GOVERNMENT

~~1. Enforce Appropriate State or Local Legislation for the Designation and Protection of Historic Properties. Federal regulations are found in 36 CFR 61.6. For the purpose of the CLG Program, the Act defines:~~

- ~~a. "Designation" as "the identification and registration of properties for protection that meet criteria established by the State or the locality for significant historic and prehistoric resources within the jurisdiction of a local government." Designation includes the identification and registration of resources according to State or local criteria which must be consistent with the Secretary of the Interior's Standards for Identification and Registration. Adoption of the National Register criteria is encouraged.~~
- ~~b. "Protection" as "a local review process under State or local law for proposed demolition of, changes to, or other action that may affect historic properties designated pursuant to" a local government becoming a Certified Local Government. The CLG's local protection review process of the Act applies only to properties designated pursuant to State or local laws and procedures. This would not include properties listed on or determined eligible for the National Register of Historic Places unless such properties also were designated under the appropriate State or local process.~~
- ~~c. In its CLG procedures, each State must define what constitutes appropriate State or local legislation for the designation and protection of historic properties and its enforcement. NPS does not require State or local legislation regarding designation and/or protection as a prerequisite for certification. However, if State and/or local legislation is required in the State's certification procedures, that legislation must be consistent with the Act and with the definitions above (for designation and/or protection).~~

~~2. Establish an Adequate and Qualified Historic Preservation Review Commission by State or Local Legislation. "Historic preservation review commission" means a board, council, commission, or other similar collegial body established by State or local legislation. The members must be appointed, unless otherwise provided by State or local legislation, by the chief elected official of the jurisdiction. Members must be drawn from professionals in architecture, history, architectural history, planning, prehistoric and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines to the extent such professionals are available in the community concerned, and such other persons as have demonstrated special interest, experience, or knowledge in history, architecture, or related disciplines. NPS regulations regarding commissions are found in 36 CFR 61.6.~~

- ~~a. If no State law exists that allows the establishment of local commissions, the State will require the local government to establish a commission by law or ordinance, or other official action.~~

~~b. The State may define "adequate and qualified" within the limits of 36 CFR 61.6, but the requirements set shall not be more stringent or comprehensive than the State's requirements for the State Review Board.~~

~~c. A State may specify in its State CLG procedures or incorporate by reference in State CLG procedures, the minimum number and type of professional members that the local government shall appoint to the commission, and indicate how additional expertise may be obtained. A local government may be certified without the minimum number or types of disciplines if it can provide written documentation to the SHPO that it has made a reasonable effort to fill those positions. However, if the SHPO has delegated State Review Board responsibilities to the Certified Local Government for that jurisdiction, the local commission must meet all applicable Review Board requirements, and perform all Review Board responsibilities.~~

~~d. When a professional discipline is not represented in the commission membership, the commission shall seek expertise in this area from persons meeting the Secretary of the Interior's Professional Qualification Standards, as appropriate.~~

~~3. Maintain a System for the Survey and Inventory of Properties that furthers the Purposes of the Act.~~

~~a. The State shall promulgate guidelines for local survey and inventory systems that ensure that such systems and the data produced can be readily integrated into SHPO inventories, the statewide comprehensive historic preservation plan, and other appropriate State and local planning processes. CLG survey data shall be in a format consistent with SHPO inventory requirements and shall not be inconsistent with the Secretary of the Interior's "Standards for Identification and Evaluation." This policy does not apply to survey data produced by local governments before the effective date of CLG certification.~~

~~4. Provide for Adequate Public Participation in the Local Historic Preservation Program.~~

~~a. The State shall define in writing minimum requirements for public participation in the conduct of overall CLG activities. These minimum requirements must include provision for open meetings (which must include public participation in the National Register Nomination process), minutes that are publicly available, and the publication and dissemination of commission procedures, as well as compliance with local, State, and Federal public participation regulations.~~

~~5. Satisfactorily Perform the Responsibilities Delegated to it Under the Act. Each local government must have the legal authority to fulfill the minimum requirements specified by the SHPO in its NPS-approved CLG procedures.~~

**Exhibit B
(Development Code Amendment –
Article I, Zoning Standards),
Redmond Historic Landmarks Commission**

Findings for Development Code Amendments to amend the Chapter 8, Article I – Zoning Standards, of the Redmond Development Code to appoint the Redmond Historic Landmarks Commission as the land-use authority for reviewing land-use applications of historic resources.

Prepared by Heather Richards,
Community Development Director
City of Redmond

April, 2011

File No: TA 11-04: Development Code Amendments

Applicant: City of Redmond Community Development Department
716 SW Evergreen Avenue
P O Box 726
Redmond, OR 97756
Phone: (541) 923-7721
Fax: (541) 548-0706

Request: Adopt findings in support of amendments to the Redmond Development Code, Chapter 8, Article I – Zoning Standards, Section 8.0820 – 8.0880 to appoint the Redmond Historic Landmarks Commission as the land-use authority for reviewing land-use applications of historic resources.

Location: Redmond City Limits

The following narrative provides findings in support of the proposed amendments with respect to Redmond Development Code, Section 8.0760 Criteria for Amendments: “The applicant shall show the proposed change is:”

1. “In conformity with all applicable State statutes;”

ORS 197.610(1): “A proposal to amend a local government acknowledged comprehensive plan or land use regulation or to adopt a new land use regulation shall be forwarded to the Director of the Department of Land Conservation and Development at least 45 days before the first evidentiary hearing on adoption . . .”

Finding:

The City provided notice to the Director of the Department of Land Conservation and Development a minimum of 45 days before the first hearing on adoption.

Conclusion:

Based on the findings above, the proposed Code amendments conform to all applicable State of Oregon statutes.

2. “In conformity with the State-wide planning goals whenever they are determined to be applicable;”

Goal 1- Oregon’s Statewide Planning Goals: Citizen Involvement.

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City conducted a public workshop with the Urban Area Planning Commission on the proposed language amendments. All documents were available on the City’s website, and copies were available for the public. Further, meeting notices were published in the local newspaper, the Redmond Spokesman. In addition, the City provided public review and involvement opportunities during the public hearings (both at the Planning Commission and City Council levels) for the proposed amendments. The Urban Area Planning Commission serves as the City’s citizen advisory committee and is made up of Redmond area residents.

Goal 2- Oregon’s Statewide Planning Goals: Land Use Planning.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The Planning Commission has received input from staff, property owners and residents. Based on this input, and the Commission's own experience with the Development Code, the Commission believes the changes to the Code are necessary. The Commission has determined that enough factual and policy basis exists to support the proposed Code amendments. Such amendments meet Goal 2.

Conclusion:

Based on the findings above, the proposed Code amendments conform to applicable Statewide planning goals and statutes.

3. "In conformity with the Redmond Comprehensive Plan, land use requirements and policies; and"

Chapter 1 – Redmond Comprehensive Plan: Citizen Involvement.

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The City conducted a public workshop with the Urban Area Planning Commission on the proposed language amendments. All documents were available on the City's website, and copies were available for the public. Further, meeting notices were published in the local newspaper, the Redmond Spokesman. In addition, the City provided public review and involvement opportunities during the public hearings (both at the Planning Commission and City Council levels) for the proposed amendments. The Urban Area Planning Commission serves as the City's citizen advisory committee and is made up of Redmond area residents.

The proposed amendments serve the following policies of Chapter 1 of the Redmond Comprehensive Plan.

1. The City shall establish a citizen involvement program to provide for widespread citizen involvement.
2. The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process.
3. The City shall assign the Redmond Urban Area Planning Commission as its officially recognized committee for citizen involvement (CCI).
4. The City shall establish mechanisms to assure two-way communications between citizens and elected and appointed officials.
5. The City shall provide the opportunity for citizens to be involved in all phases of

the planning process.

6. The City shall assure that technical information is available to citizens in an understandable form.
7. The City shall assure that recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers.
8. The City shall allocate adequate human, financial and informational resources for the citizen involvement program.

Chapter 2 – Redmond Comprehensive Plan: Land Use Planning.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The Planning Commission has received input from staff, property owners and residents. Based on this input, and the Commission’s own experience with the Development Code, the Commission believes the changes to the Code are necessary. The Commission has determined that enough factual and policy basis exists to support the proposed Code amendments. Such amendments meet Goal 2.

Conclusion:

Based on the findings above, the proposed amendments conform to the Redmond Comprehensive Plan where applicable.

4. **“That there is a change of circumstances or further studies justifying the amendment or mistake in the original zoning.”**

Finding:

Previously land-use applications for historic resources have been reviewed by the Deschutes County Landmarks Commission. On February 23, 2011, the Redmond City Council established the Redmond Historic Landmarks Commission in an effort to develop a local historic preservation program.

Conclusion:

The above findings demonstrate that the proposed amendments meet the section 8.0760 Criteria for Amendments to the Development Code.



DRAFT

CITY OF REDMOND
Community Development Department

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Redmond, OR 97756-2242

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REDMOND URBAN AREA PLANNING COMMISSION
Minutes

Monday, February 1, 2011
City Hall, Conference Room A
716 SW Evergreen Avenue, Redmond, Oregon

COMMISSIONERS PRESENT: Chair Eric Porter, Vice Chair Will Van Vactor, Tory Allman, Bob Bleile, Stan Clark, Katie McDonald, John Nastari

GUESTS PRESENT: George Endicott, *Mayor*; Ed Boero, *City Councilor*; Margie Dawson, *City Council liaison*; John Deardorff, Terri Hansen Payne, *Deschutes County Planner*;

CITY STAFF: Heather Richards, *Community Development Director*; Mike Caccavano, *City Engineer*; Sean Cook, *Senior Planner*; Mike Pilling, *City Engineering Department*; Cameron Prow, *TYPE-Write II*

(scribe CP's note: The minutes were created from notes taken at the meeting and an audio record. The three digits after the motion title shows the number of members voting in favor/against/abstaining.)

I. CALL TO ORDER

Chair Porter opened the meeting at 7 p.m. with a quorum present.

II. CITIZEN COMMENTS (None)

III. COUNCIL LIAISON COMMENTS (None)

IV. PRESENTATIONS

A. City of Redmond Public Works – 2010 Standards and Specifications

Mr. Caccavano made a PowerPoint presentation to facilitate discussion on why the City needs to update its Public Works standards and specifications. Also presented was the City's staff report (Exhibit 1). The amendment was proposed to address changes in design and construction requirements, materials, methods, and references to other documents since the plan was last updated in 2003. This manual addresses longevity concerns regarding the City's infrastructure investment. Public hearings will be held before the Planning Commission on March 1, 2011, and City Council in late March/early April 2011. He asked that Commissioner comments after tonight's meeting be e-mailed to him by February 15, 2011.

Commissioner concerns included *road construction cost per linear foot, road surface longevity, comparative cost analysis, City Council direction for right-of-way width, alternate paving materials (synthetic concrete), and reduced setbacks along Airport Way in industrial zones.*

Chair Porter called a short break at 7:50 p.m. and reopened the meeting at 8 p.m.

B. Redmond Urban Renewal Agency – 12th Amendment to Downtown Urban Renewal Plan

Ms. Richards made a PowerPoint presentation and presented her staff report (Exhibit 2), summarizing the background information, analysis, and strategy used to develop the proposed Plan Amendment. This amendment would expand the district by 102 acres, add 18 projects, allow purchase of the Evergreen Elementary School site, increase the maximum indebtedness to \$120,717,081, and extend the 1995-2025 plan to 2031. The proposed projects were evaluated based on blight, tax increment creation, job creation, connection to other projects, leverage, community support, developer interest, planning, and family amenity. The financial feasibility analysis indicated that all bonded indebtedness incurred by the amendment will be paid off by June 30, 2031, and that adopting the amendment will not increase taxes paid by City taxpayers. The Planning Commission's public hearing will be held on March 1, 2011.

Commissioner concerns included *size of the incoming urban reserve area, effect of redirecting tax revenues, effect on assessed property values, citizen interest in urban density, and potential downtown amenities* (putting green, grocery store).

V. STAFF COMMENTS

Ms. Richards said the City has contracted with Portland State University to develop a Bicycle Facilities Framework Plan. A stakeholder advisory group will be working with the students monthly over the next five months. *(Commissioner McDonald volunteered to represent the Planning Commission.)*

City Council has requested that the Planning Commission reconsider the definition of home occupations to protect residential areas from direct-selling (retail) enterprises. This issue was raised by citizens objecting to an application for an off-premise Oregon Liquor Control Commission license to hold monthly wine-tasting events in their neighborhood. Staff worked with that applicant who has decided to relocate the wine-tasting activity to a commercial zone. Ms. Richards said her research has indicated that other Oregon planning commissions classify wine-tastings as a home occupation. *(Commissioner comments included the effect of a special-use permit, first-amendment rights, and the motivation for the citizens' complaint.)*

Ms. Richards reported that the City has decided to not hire a permanent long-range planner at this time, but to contract for these services as needed.

VI. COMMISSIONER COMMENTS

Commissioner McDonald asked staff to check on the legality of Commissioners receiving e-mailed notices of the City's administrative land-use decisions.

Commissioner Clark expressed concern about adding another item to the Planning Commission's work plan which is already packed.

VII. ADJOURN

With no further business, Chair Porter adjourned the meeting at 9:13 p.m.

APPROVED BY THE REDMOND URBAN AREA PLANNING COMMISSION AND SIGNED BY ME
THIS _____ DAY OF _____, 2011.

ATTEST:

Eric Porter, Chair

**DRAFT**

CITY OF REDMOND
Community Development Department

716 SW Evergreen Avenue

Redmond, OR 97756-2242

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REDMOND URBAN AREA PLANNING COMMISSION
Minutes

Monday, February 15, 2011
City Hall, Conference Room A
716 SW Evergreen Avenue, Redmond, Oregon

COMMISSIONERS PRESENT: Chair Eric Porter, Vice Chair Will Van Vactor, Tory Allman, Stan Clark, Katie McDonald, John Nastari

GUESTS PRESENT: Margie Dawson, *City Council Liaison*; John Schimmoller

CITY STAFF: Heather Richards, *Community Development Director*; Sean Cook, *Senior Planner*; Cameron Prow, *TYPE-Write II*

(scribe CP's note: The minutes were created from notes taken at the meeting and an audio record. The three digits after the motion title shows the number of members voting in favor/against/abstaining.)

I. CALL TO ORDER

Chair Clark opened the meeting at 7 p.m. with a quorum present.

II. CITIZEN COMMENTS (None)

III. COUNCIL LIAISON COMMENTS (None)

IV. ACTION/DISCUSSION ITEMS

A. Evergreen Study Area

Mr. Cook presented the staff report (Exhibit 1). Attachment A contained his walk-by survey of existing conditions and analysis of how they are supported by the proposed Live/Work Zone. Topics proposed for discussion included purpose statement analysis, office uses, and site/design review standards for window transparency and prohibited materials (Attachment B).

City staff met with Jim Bryant, Oregon Department of Transportation, on February 11, 2011. ODOT supports the proposed live/work idea but thinks it should be called the "Mixed Use Work Live Zone. ODOT also likes that commercial space will be limited to 2,500 square feet.

Ms. Dawson recommended siting office uses in an office overlay district or commercial areas.

Mr. Schimmoller urged Commissioners to preserve as many uses as possible to make it easier to redevelop this area.

Commissioner discussion points covered *compatibility, definitions for "corporate headquarters" and "legitimate use," increasing land costs by allowing office uses outright, long-term effect on industrial use if office uses are allowed, blessing existing uses, allowing nonconforming uses to*

move or expand, underutilization of existing uses, railroad use, and appropriate utilization of used cargo containers (office, storage, industrial, or residential use).

Commissioners agreed **by consensus** to:

- * Retain the existing “smokehouse & meat market” use.
- * Allow new offices only if they are “live/work offices” or “support industrial use.”
- * Create a new zone, an overlay zone, and the supporting text.
- * 8.0275/Purpose – change the first line to read: “The purposes of this zone are to:”.
- * 8.3170(3.c)/Recessions and Projections – change to read: “Each unit shall have architectural recessions and projections not less than 2 inches in change.”
- * 8.3170(3.d) – keep as written.
- * 8.3170(3.f) – keep as written.
- * 8.3170(3.g, 5.c9, 6.d5) – table discussion of cargo container conversions to next meeting.
- * E-mail comments, questions, and additional changes to Mr. Cook before the next meeting.

Ms. Richards said she will consult ODOT regarding the expansion/move of nonconforming uses.

B. Planning Commission Work Program

Ms. Richards reviewed upcoming issues and possible changes. The Live/Work zone is scheduled for public hearing on May 17, 2011, and should be completed before the public hearing on the M-1/M-2 industrial zones.

Chair Porter asked about having the RDI () representative make a presentation regarding grant and loan funding available to property owners in Enterprise Zones.

V. STAFF COMMENTS

Ms. Richards said that the City will decide by February 18, 2011, whether to fill the long-range planner position with an outside contractor or an employee.

VI. COMMISSIONER COMMENTS

In response to Commissioner Nastari’s question, Ms. Richards said the person applying for an acupuncture office in the R-5 zone has withdrawn his application and requested conditional-use status for an office (not restricted to acupuncture). Staff are meeting on February 18, 2011, with the neighbors who commented on the original application.

Commissioner Nastari asked who was responsible for maintenance and beautification along the several blocks of fencing on 19th Street. (*Ms. Richards said that structural upkeep is the responsibility of the homeowner. Fencing standards for subdivisions have been upgraded. Abatement of weeds over 10 inches tall is enforced by the City.*)

Chair Porter requested changing the meeting start time to 6 p.m. Following discussion, Commissioners agreed **by consensus** to start the March 15, 2011, meeting at 6:30 p.m.

VII. ADJOURN

With no further business, Chair Porter adjourned the meeting at 9:10 p.m.

APPROVED BY THE REDMOND URBAN AREA PLANNING COMMISSION AND SIGNED BY ME
THIS _____ DAY OF _____, 2011.

ATTEST:

Eric Porter, Chair



DRAFT

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REDMOND URBAN AREA PLANNING COMMISSION
Minutes

Monday, March 15, 2011

City Council Chambers

777 SW Deschutes Avenue, Redmond, Oregon

COMMISSIONERS PRESENT: Chair Eric Porter, Vice Chair Will Van Vactor, Bob Bleile, Stan Clark, Katie McDonald, John Nastari

GUESTS PRESENT: Margie Dawson, *City Councilor-Liaison*; Wynn and Larry Larson; Trish Pinkerton, *Redmond Spokesman*

CITY STAFF: Sean Cook, *Senior Planner*; Cameron Prow, *TYPE-Write II*

(scribe CP's note: The minutes were created from an audio record and notes taken at the meeting. The three digits after the motion title shows the number of members voting in favor/against/abstaining.)

I. CALL TO ORDER

Chair Porter opened the meeting at 7 p.m. with a quorum present.

III. CITIZEN COMMENTS

Wynn and Larry Larson said they were unable to refinance their home due to the M-2 zoning of their residential lot which is contained within the proposed Mixed Use Live/Work Zone.

IV. MIXED USE LIVE/WORK ZONE (cont.)

A. MULW Code

Mr. Cook presented the staff report and reviewed changes made at the last Planning Commission meeting on this issue.

Commissioner discussion points included *modification provisions, impact of a change in ownership, better definition for "cessation of use," and expansion of homes and businesses.* Commissioners agreed **by consensus** to make the following revisions to new Section 8.0285:

- * Change (b) to read: "The purpose of this Special District Overlay is to allow uses which exist at the effective date of the adoption of this ordinance as special outright-permitted uses." The Special District Overlay will allow existing uses and businesses to continue their operations in perpetuity."
- * Change (d) to read: "Valid evidence of the presence of a legal use that exists at the effective date of the adoption of this ordinance, if required, may include the following:"
- * Relabel (d.5) to (d.6).
- * Insert new (d.5): "Utility billings."
- * Relabel (e) to (f).

- * Insert new (e): “Existing businesses may modify up to 50% of the footprint that exists at the effective date of the adoption of this ordinance including expansion onto an adjoining property.”

B. Site and Design Review for Live/Work Units

Mr. Cook presented the staff report and summarized his research into cargo container conversions. Based on surrounding local conditions and the current economy, staff do not support cargo container development. If allowed by the Planning Commission, these containers would need a very high level of design review.

Commissioner discussion covered *modification provisions, impact of changes in ownership, defining “cessation of use,”* and *expansion of homes and businesses.* Commissioners agreed **by consensus** to the following sections:

- * Permanent occupancy is required.
- * No permit revocation procedure for noncompliance.
- * Cargo containers may be used in the “work” part of the MULW zone for storage but not as living quarters.
- * 8.3100, Definitions, Paragraph 3, to read: “Roof treatment are any additions to a roof that breaks it up. Examples of roof treatments are dormers, cupolas, or multi-pitched roofs.”
- * 8.3170(3.g) to read: “Conversion of metal cargo shipping containers for residential use is prohibited.”
- * 8.3170(5.c9) to read: “Conversion of metal cargo shipping containers for residential use is prohibited.”
- * 8.3170(6.d4) to read: “Conversion of metal cargo shipping containers for residential use is prohibited.”

V. APPROVAL OF MINUTES

Motion 1 (4/0/2): Commissioner Clark moved to approve the January 4, 2011, minutes as presented. Commissioner Bleile seconded the motion which passed with Commissioners Bleile, McDonald, Nastari, and Porter voting in favor and Commissioners Clark and Van Vactor abstaining.

Motion 2 (5/0/1): Commissioner Clark moved to approve the January 18, 2011, minutes subject to correcting “Chair Clark” to “Chair Porter” under CALL TO ORDER. Commissioner Bleile seconded the motion which passed with Commissioners Bleile, McDonald, Nastari, Porter, and Van Vactor voting in favor and Commissioner Clark abstaining.

Motion 3 (4/0/2): Commissioner Clark moved to approve the March 1, 2011, minutes as presented. Commissioner Nastari seconded the motion which passed with Commissioners Bleile, Nastari, Porter, and Van Vactor voting in favor and Commissioners Clark and McDonald abstaining.

II. CITY COUNCIL LIAISON COMMENTS

Ms. Dawson summarized progress on the proposed 12th Amendment to the Downtown Urban Renewal District and US Highway 97 re-route beautification.

VI. STAFF COMMENTS (None)

VII. COMMISSIONER COMMENTS

Commissioner Nastari expressed appreciation of the between-meeting staff support.

Chair Porter said he would be absent from the next two meetings.

Commissioners agreed **by consensus** that their meetings should continue to start at 7 p.m.

VIII. ADJOURN

With no further business, Chair Porter adjourned the meeting at 8:32 p.m.

APPROVED BY THE REDMOND URBAN AREA PLANNING COMMISSION AND SIGNED BY ME
THIS _____ DAY OF _____, 2011.

ATTEST:

Eric Porter, Chair